

Zoning Amendment Application

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Department of Planning, Building and Development
Room 166, Noel C. Taylor Municipal Building
215 Church Avenue, S.W.
Roanoke, Virginia 24011
Phone: (540) 853-1730 Fax: (540) 853-1230

FEB 22 2016

CITY OF ROANOKE
PLANNING BUILDING &
DEVELOPMENT

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Date: February 19, 2016

Submittal Number: Amended Application No. 1

Request (select all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Rezoning, Not Otherwise Listed | <input checked="" type="checkbox"/> Amendment of Proffered Conditions |
| <input type="checkbox"/> Rezoning, Conditional | <input type="checkbox"/> Amendment of Planned Unit Development Plan |
| <input type="checkbox"/> Rezoning to Planned Unit Development | <input type="checkbox"/> Amendment of Comprehensive Sign Overlay District |
| <input type="checkbox"/> Establishment of Comprehensive Sign Overlay District | |

Property Information:

Address: 622 Huntington Boulevard, NE, Roanoke, VA 24012

Official Tax No(s): 3280102

Existing Base Zoning:
(If multiple zones, please manually enter all districts.) I-1, Light Industrial

- ☒ With Conditions
☐ Without Conditions

Ordinance No(s). for Existing Conditions (If applicable): 36625-021704

Requested Zoning: I-1, Light Industrial

- ☒ With Conditions
☐ Without Conditions

Proposed Land Use: Manufacturing: General

Property Owner Information:

Name: LSW-HMW Family Limited Partnership

Phone Number: +1 (540) 389-0260

Address: 1463 West Main Street, Suite P3, Salem, VA 24153

E-Mail: LS.Luke.Waldrop@Verizon.net

Property Owner's Signature: *LSW-HMW Family Limited Partnership*

Applicant Information (if different from owner):

Name:

Phone Number:

Address:

E-Mail:

Applicant's Signature:

Authorized Agent Information (if applicable):

Name: Daniel F. Layman, Jr.

Phone Number: +1 (540) 491-9317

Address: 30 Franklin Road, SW, Suite 555, Roanoke, VA 24011

E-Mail: dan@danlaymanlaw.com

Authorized Agent's Signature: *Daniel F. Layman, Jr.*

Zoning Amendment Application Checklist



The following must be submitted for **all** applications:

- ☒ Completed application form and checklist.
- ☒ Written narrative explaining the reason for the request.
- ☒ Metes and bounds description, if applicable.
- ☒ Filing fee.

For a **rezoning not otherwise listed**, the following must also be submitted:

- ☐ Concept plan meeting the Application Requirements of item '2(c)' in Zoning Amendment Procedures.

For a **conditional rezoning**, the following must also be submitted:

- ☐ Written proffers. See the City's Guide to Proffered Conditions.
- ☐ Concept plan meeting the Application Requirements of item '2(c)' in Zoning Amendment Procedures. Please label as 'development plan' if proffered.

For a **planned unit development**, the following must also be submitted:

- ☐ Development plan meeting the requirements of Section 36.2-326 of the City's Zoning Ordinance.

For a **comprehensive sign overlay district**, the following must be submitted:

- ☐ Comprehensive signage plan meeting the requirements of Section 36.2-336(d)(2) of the City's Zoning Ordinance.

For an **amendment of proffered conditions**, the following must also be submitted:

- ☒ Amended development or concept plan meeting the Application Requirements of item '2(c)' in Zoning Amendment Procedures, if applicable.
- ☒ Written proffers to be amended. See the City's Guide to Proffered Conditions.
- ☒ Copy of previously adopted Ordinance.

For a **planned unit development amendment**, the following must also be submitted:

- ☐ Amended development plan meeting the requirements of Section 36.2-326 of the City's Zoning Ordinance.
- ☐ Copy of previously adopted Ordinance.

For a **comprehensive sign overlay amendment**, the following must also be submitted:

- ☐ Amended comprehensive signage plan meeting the requirements of Section 36.2-336(d) of the City's Zoning Ordinance.
- ☐ Copy of previously adopted Ordinance.

For a proposal that requires a **traffic impact study** be submitted to the City, the following must also be submitted:

- ☐ A Traffic Impact Study in compliance with Appendix B-2(e) of the City's Zoning Ordinance.

For a proposal that requires a **traffic impact analysis** be submitted to VDOT, the following must also be submitted:

- ☐ Cover sheet.
- ☐ Traffic impact analysis.
- ☐ Concept plan.
- ☐ Proffered conditions, if applicable.
- ☐ Required fee.

*An electronic copy of this application and checklist can be found at www.roanokeva.gov/pbd by selecting 'Planning Commission' under 'Boards and Commissions'. A complete packet must be submitted each time an application is amended, unless otherwise specified by staff.

NARRATIVE ACCOMPANYING THE ZONING AMENDMENT APPLICATION OF
LSW-HMW FAMILY LIMITED PARTNERSHIP FOR PROPERTY LOCATED AT 622
HUNTINGTON BLVD, NE, CITY OF ROANOKE OFFICIAL TAX NO. 3280102.

The applicant is requesting that the existing proffered zoning conditions be amended to (i) bring the list of specifically permitted uses (which were taken from the uses permitted in the LM zoning district under the former zoning ordinance) into harmony with the I-1 district permitted uses under the current zoning ordinance and (ii) delete the condition prohibiting outdoor storage on the property and replace it with a condition permitting outdoor storage as an accessory use, but only with enhanced buffering along the boundary line between this property and the residentially-zoned lots to the north.

The primary purpose for the amendment is to permit outdoor storage. This change is sought in order that the site may be rented to General Truck Body ("GTB"). GTB presently conducts its business at 631 Liberty Road in the City. Its business consists of installing specialized bodies on truck chassis, mounting snow plows and spreader units on trucks, and adding aftermarket accessories such as running boards, lights, hitches and toolboxes. It stores some of these materials outdoors at its current location, and the ability to have outdoor storage at the Huntington Blvd site will enable it to use the majority of the space within the building more efficiently and extensively for its installation and assembly operations.

The existing building has been the site of several different industrial uses since it was originally constructed in 1970, most recently as the headquarters of an underground storage tank supplier and installer. The extensive open area to the east of the building has been used for the parking of delivery and construction vehicles. The ability to use it also for storage of parts and equipment inventory and of vehicles on which assembly has been completed will greatly enhance its value and utility.

The effects of this change on the surrounding neighborhood should not be material. While there are two residences located across Huntington Blvd to the south, they are nonconforming uses in a CN zone. They will nevertheless be protected by construction of a solid 6-foot fence where there currently is no screening at all. The position of the RM-1 zone to the north will actually be improved as a result of this change in conditions, since a 10-foot planted buffer zone will be added where there is currently only minimal "volunteer" vegetation.

* * * * *

The requested change in conditions relates to three policies set forth in the City's comprehensive plan: retaining existing jobs, redeveloping underutilized industrial sites, and enhancing the livability of the City's neighborhoods.

GTB has outgrown its current Liberty Road location and must move. It has identified this site as an attractive location, as well as other sites in Roanoke County and Salem, both of which are actively soliciting GTB to move. Increasing the flexibility of this site by permitting outdoor storage will allow GTB, and the jobs it offers, to remain in the City of Roanoke.

This site has not achieved its full potential because of the prohibition against outdoor storage. The proposed storage area is already graveled and ready for use, and it is vastly more extensive than the vehicular parking needed for the building. It thus falls far short of its potential value if it is limited to serving as a parking lot. In addition, the lot lies immediately adjacent to railroad tracks and to a large Appalachian Power substation which dominates the entire vicinity. It is hardly suited to any use other than materials storage.

The livability of the adjoining residential area will be considerably improved by the addition of the enhanced buffer strip that the petitioner is proffering as a condition to the allowance of outdoor storage. Currently there is no screening other than the minimal natural vegetation that has sprung up over the years. The 10-foot-wide evergreen planting buffer zone that will run the entire length of the northern boundary will screen the entire site, both the storage yard and the industrial building, from the adjoining residences.

**METES AND BOUNDS DESCRIPTION OF 622 HUNTINGTON BLVD, NE, CITY OF
ROANOKE OFFICIAL TAX NO. 3280102:**

Beginning at an iron on the northerly side of Huntington Boulevard, NE, at the westerly boundary of the property of Appalachian Power Company; thence with the northerly line of Huntington Boulevard, NE, N. 89 degs. 44' 30" W. 205.23 feet to an iron at the southwest corner of Tract "A," the property of Whiting Oil Co.; thence N. 4 degs. 41' W. 327.30 feet, along the easterly lines of Tracts "A" and "B," to a point on the line of the Northfield Addition; thence with the line of the Northfield Addition, N. 89 degs. 12' E. 222.62 feet to a point on the line of the Appalachian Power Company property; thence with said line S. 1 deg. 37' 20" E. 330.37 feet to the place of Beginning, and being known as Tract "C" on the survey for C. F. Kefauver, showing a resubdivision of parts of Lots 20 and 22, and all of Lot 21, Block 9, Huntington Court, made by T. P. Parker on May 4, 1966, and being a portion of Lot 22, Block 9, Map of Huntington Court (Plat Book 1, page 306).

SITE SUMMARY:

OWNER: LSW-HMW FAMILY PARTNERSHIP
1483 W MAIN STREET, SUITE P3
SALEM, VIRGINIA 24153

TAX MAP NUMBER: 3280102

EXISTING LOT SIZE: 1.6287 AC.

ZONING: I-1(C) - INDUSTRIAL DISTRICT WITH CONDITIONS

ORDINANCE #: 36625-021704

EXISTING USE: COMMERCIAL/INDUSTRIAL

MINIMUM LOT SIZE REQUIRED: 10,000 S.F.

MAXIMUM LOT SIZE: NONE

SETBACKS:

FRONT: 0' MINIMUM, NO MAXIMUM

SIDE: 0'

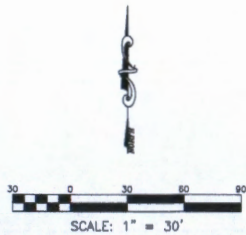
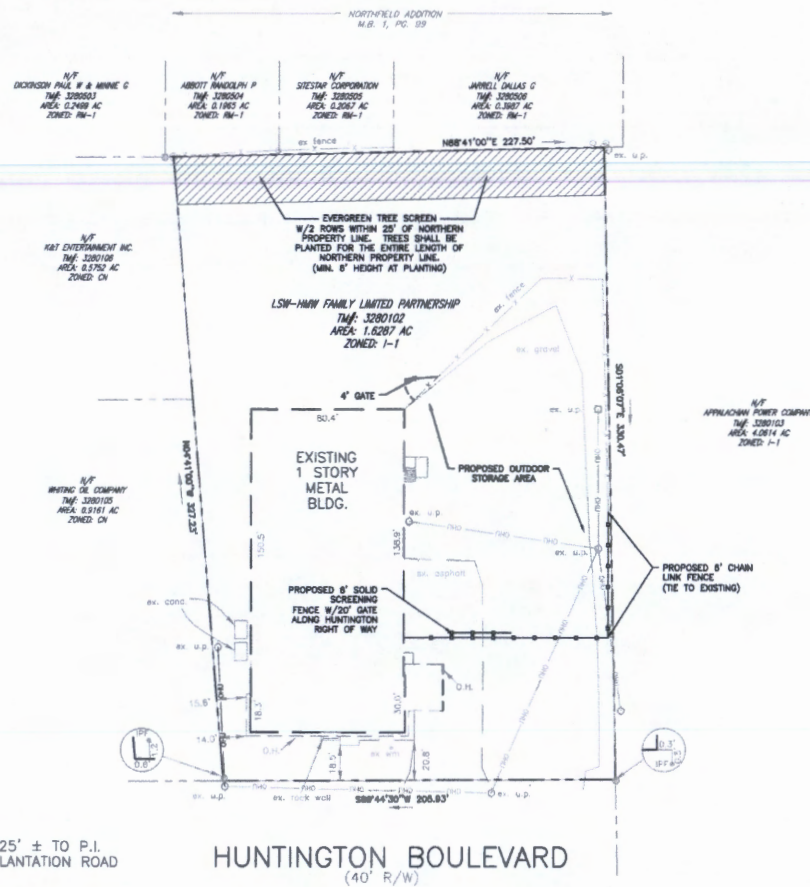
REAR: 0'

MAXIMUM FLOOR AREA RATIO: 2.0

MAXIMUM BUILDING HEIGHT: 1' PER EACH FOOT OF SETBACK FROM ABUTTING RESIDENTIAL LOT

MAXIMUM IMPERVIOUS SURFACE AREA: 80%

MINIMUM TREE CANOPY: 10%



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Balzer and Associates, Inc.

1208 Corporate Circle
Roanoke, VA 24018
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FAX 540-772-8880

GENERAL TRUCK BODY
1622 HUNTINGTON BOULEVARD
CONCEPT PLAN
CITY OF ROANOKE, VIRGINIA

DRAWN BY: LAR

DESIGNED BY: BFC

CHECKED BY: CFB

DATE: 1/15/2018

SCALE: 1" = 30'

REVISIONS:

2/18/2018

SHEET NO.

EX-A

JOB NO. 04180006.00

CHANGES IN PROFFERED CONDITIONS PROPOSED BY LSW-HMW FAMILY
LIMITED PARTNERSHIP FOR 622 HUNTINGTON BLVD, NE, CITY OF ROANOKE
OFFICIAL TAX NO. 3280102.

PROFFERED CONDITION TO BE REPEALED:

The applicant hereby requests that ALL of the proffered conditions enacted by Ordinance No. 36625-021704 be repealed as they pertain to Official Tax No. 3280102.

PROFFERED CONDITIONS TO BE ADOPTED:

The applicant hereby requests that the following proffered condition be adopted as they pertain to Official Tax No. 3280102:

(1) The property will be used only for one or more of the following permitted I-1 uses (all other I-1 uses permitted by the zoning ordinance being prohibited as a result of this condition):

Business service establishment, not otherwise listed

Educational facilities, industrial trade school

Laboratory, dental, medical or optical

Laboratory, testing and research

Office, general or professional

General service establishment, not otherwise listed

Animal hospital or veterinary clinic, no outdoor pens or runs

Studio/multimedia production facility

Bakery, confectionary, or similar food production, retail

Dry cleaning and laundry pickup station

Motor vehicle rental establishment, without inventory on site

Retail sales establishment, not otherwise listed

Commercial printing establishment

Electrical components assembly, wholesale distribution

Internet sales establishment

Welding or machine shop

Workshop

Manufacturing: General, not otherwise listed

Warehouse

Eating establishment

Health and fitness center

Artist studio

Broadcasting studio or station

Outdoor storage as an accessory use only

(2) Evergreen trees at least five (5) feet tall, meeting the requirements of Table 642-1 in the City of Roanoke Zoning Ordinance, planted in two (2) offset rows on 8-foot centers, shall be established and maintained in a 10-foot buffer strip located adjacent to and within 25 feet of the entire length of any boundary of the property that abuts property in a residential zoning district. The screening trees will be planted within 60 days after the date on which City Council approves the requested rezoning. No outdoor storage will be allowed between the 10-foot buffer strip and the adjacent residentially zoned district.

ST
2/19/04

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

The 17th day of February, 2004.

No. 36625-021704.

AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 328, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading by title of this ordinance.

WHEREAS, LSW-HMW Family Limited Partnership has made application to the Council of the City of Roanoke to have the hereinafter described property rezoned from CN, Neighborhood Commercial District, to LM, Light Manufacturing District, subject to certain conditions proffered by the applicant;

WHEREAS, the City Planning Commission, which after giving proper notice to all concerned as required by §36.1-693, Code of the City of Roanoke (1979), as amended, and after conducting a public hearing on the matter, has made its recommendation to Council;

WHEREAS, a public hearing was held by City Council on such application at its meeting on February 17, 2004, after due and timely notice thereof as required by §36.1-693, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were given an opportunity to be heard, both for and against the proposed rezoning; and

WHEREAS, this Council, after considering the aforesaid application, the recommendation made to the Council by the Planning Commission, the City's

Comprehensive Plan, and the matters presented at the public hearing, is of the opinion that the hereinafter described property should be rezoned as herein provided.

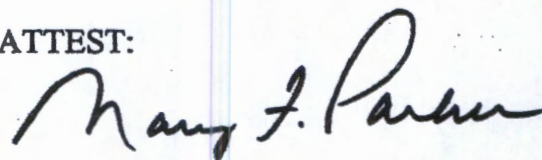
THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

1. Section 36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 328 of the Sectional 1976 Zone Map, City of Roanoke, be amended in the following particular manner and no other:

That tract of land located at 622 Huntington Boulevard, N.E., containing 1.630 acres, more or less, and designated on Sheet No. 328 of the Sectional 1976 Zone Map, City of Roanoke, as Official Tax No. 3280102, be, and is hereby rezoned from CN, Neighborhood Commercial District, to LM, Light Manufacturing District, subject to the proffers contained in the Second Amended Petition filed in the Office of the City Clerk on January 22, 2004, and that Sheet No. 328 of the 1976 Zone Map be changed in this respect.

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

A handwritten signature in cursive script, appearing to read "Mary J. Parker".

City Clerk.

VIRGINIA:

IN THE COUNCIL OF THE CITY OF ROANOKE

In re:	Rezoning of a Tract of Land)	SECOND
	Known as 622 Huntington Blvd,)	AMENDED PETITION
	NE, bearing City of Roanoke)	OF LSW-HMW FAMILY
	Official Tax No. 3280102, from)	LIMITED PARTNERSHIP
	CN, Neighborhood Commercial)	
	District, to LM, Light Manu-)	
	facturing District)	

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF ROANOKE:

(1) Petitioner LSW-HMW Family Limited Partnership is the owner of a tract of land in the City of Roanoke located on the north side of Huntington Blvd, NE, near its intersection with Plantation Road, NE, containing approximately 1.63 acres, bearing City of Roanoke Official Tax No. 3280102 and known as 622 Huntington Blvd, NE. A portion of City Appraisal Map Number 328 showing this parcel is attached to this petition as Exhibit A.

(2) This lot is presently zoned CN, Neighborhood Commercial District. However, it had been used for light manufacturing purposes as a legal nonconforming use until September 2003, when that status expired because the building had been vacant for two years.

(3) Pursuant to Section 36.1-690, Code of the City of Roanoke (1979), as amended, petitioner requests that the above-described parcel be rezoned from CN, Neighborhood Commercial District, to LM, Light Manufacturing District, subject to the conditions set forth in paragraph (6) below.

(4) Since November 1970, when the existing 14,300 square foot industrial building was constructed by Progress Printing Company, this lot has been used successively as a printing plant, a film processing facility, and an industrial equipment repair and parts warehouse. It is located immediately adjacent to railroad tracks and a large electrical energy substation, and just behind retail commercial properties along Plantation Road, NE.

(5) Petitioner believes the property is not conducive to neighborhood commercial use because it is larger than the typical CN uses in the area, does not front on a major commercial street (and indeed is somewhat isolated by topography from customer traffic and the adjoining highway commercial uses), and lies outside of any major commercial district. It is improved with an industrial building, has been used in that manner for over 30 years, and is so dominated by the adjoining substation that its appeal for any other purpose is extremely limited. Petitioner therefore believes that the requested zoning change will afford an opportunity for use of this lot in a manner more consistent with its highest and best use. A site plan showing the configuration of the property and improvements is attached to this petition as Exhibit B.

(6) Petitioner hereby proffers and agrees that if this property is rezoned as requested, the rezoning will be subject to, and petitioner will abide by, the following conditions:

(a) The property will be used only for one or more of the following permitted LM uses (all other LM uses permitted by the ordinance being prohibited as a result of this condition):

(i) Trade and vocational schools of an industrial nature.

(ii) Day care centers with unlimited capacity subject to the requirements of Section 36.1-510 et seq.

(iii) Laboratories and testing facilities not accessory to a specific use, including photographic laboratories, industrial testing facilities and similar uses.

(iv) General storage and warehousing establishments engaged in the storage of miscellaneous merchandise not for sale on the same premises.

(v) Manufacturing establishments primarily engaged in the manufacture, assembly, mixing, processing or other processes related to the creation of new products and including as an accessory use the retail sale of goods manufactured on the premises, where all such manufacturing, assembly, mixing, processing or other processes related to the creation of new

products, and retail sales of goods manufactured on the premises, are wholly enclosed in the building.

(vi) General service establishments, excluding the repair or maintenance of motor vehicles and trailers.

(vii) Commercial printing establishments which print newspapers, publications, and other materials.

(b) There shall be no outdoor storage on the property.

(7) Attached to this petition as Exhibit C is a list of the names and addresses of the owners of all lots immediately adjacent to or across a street from the property to be rezoned, together with the Official Tax Number of each lot.

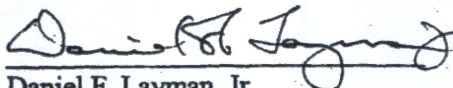
WHEREFORE, petitioner requests that the parcel bearing City of Roanoke Official Tax No. 3280102 be rezoned from CN to LM, with conditions, in accordance with the provisions of the Zoning Ordinance of the City of Roanoke.

Respectfully submitted by petitioner this 19 day of January, 2004.

LSW-HMW FAMILY LIMITED PARTNERSHIP

By


General Partner



Daniel F. Layman, Jr.
Woods Rogers PLC
P. O. Box 14125
Roanoke, VA 24038-4125
(703) 983-7653

Of Counsel for the Petitioner